

REMARKS/ARGUMENTS

Previously pending claims 1-30 were rejected under 35 U.S.C. §103(a) over U.S. Patent No. 6,324,644 (Rakavy) in view of U.S. Patent No. 6,161,177 (Anderson) and in further view of U.S. Patent No. 6,202,091 (Godse). Claims 1-30 have been cancelled and new claims 31-56 are presented for Examination. It is respectfully submitted that new claims 31-56 are patentable over the cited art.

With regard to claim 31, none of the references teach or suggest determining a system state indicative of whether a system is connected to a network and loading either a first or second module of a basic input/output system (BIOS) based on the system state. In this regard, the Office Action concedes that neither Rakavy nor Anderson teach or suggest such loading based on a system state. Office Action, p. 3.

Nor does Godse. Instead, Godse merely teaches that a pointer is set to point to either a local site or a remote site. However, nowhere does Godse teach or suggest that such pointer is set based on a system state indicative of a network connection. Godse, col. 6, lns. 32-38. That is, this pointer or policy file is set without regard to a state of the system indicative of a connection to a network. For at least this reason, each of independent claims 31, 40, and 51 (and the claims depending therefrom) are patentable over the proposed combination.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504.

Respectfully submitted,

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Mark J. Rozman
Registration No. 42,117
TROP, PRUNER & HU, P.C.
8554 Katy Freeway, Suite 100
Houston, Texas 77024-1805
(512) 418-9944 [Phone]
(713) 468-8883 [Fax]
Customer No.: 21906